

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

LANCE GIBBONS,

Defendant.

8:11CR235

ORDER

This matter is before the court on the government's motion to continue trial [26] due to the fact that counsel will be out of the country. The defendant has no objection. The court finds good cause being shown and the trial will be continued.

IT IS ORDERED that the motion to continue trial is granted, as follows:

1. The jury trial now set for September 20, 2011 is continued to **October 4, 2011**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **September 20, 2011 and October 4, 2011**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED September 9, 2011.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge